

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES - GENERAL**

<b>Case No.</b>	CV 18-4916 PA (AFMx)	<b>Date</b>	March 26, 2019
<b>Title</b>	Andrea Ridgell v. Frontier Airlines, Inc., et al.		

<b>Present: The Honorable</b>	PERCY ANDERSON, UNITED STATES DISTRICT JUDGE		
Kamilla Sali-Suleyman	Not Reported	N/A	
Deputy Clerk	Court Reporter	Tape No.	
Attorneys Present for Plaintiffs:		Attorneys Present for Defendants:	

**Proceedings: Order to Show Cause Re; Dismissal For Lack Of Prosecution**

The Court has reviewed plaintiff Andrea Ridgell's ("Plaintiff") Response to the Court's February 25, 2019 order. In her Response, Plaintiff "requests that the Court permit her to serve" defendant Airbus S.A.S. ("Airbus") with the Summons and First Amended Complaint in France by international courier. See Rio Props., Inc v. Rio Int'l Interlink, 284 F.3d 1007, 1014, 1016 (9th Cir. 2002).

Plaintiff's "Request" is procedurally improper. There are no "Requests" contemplated by the Local Rules. Instead, Local Rule 6-1 states:

Unless otherwise provided by rule or order of the Court, no oral motions will be recognized and every motion shall be presented by a written notice of motion. The notice of motion shall be filed with the Clerk not later than twenty-eight (28) days before the date set for hearing, and shall be served on each of the parties electronically or, if excepted from electronic filing, either by deposit in the mail or by personal service. If mailed, the notice of motion shall be served not later than thirty-one (31) days before the Motion Day designated in the notice. If served personally, or electronically, the notice of motion shall be served not later than twenty-eight (28) days before the Motion Day designated in the notice.

In addition to the filing of a noticed motion in compliance with the applicable Local Rules, a party may seek relief through the filing of an ex parte application pursuant to Local Rule 7-19. Plaintiff's "Request" does not comply with the requirements for ex parte applications or noticed motions. Nor did Plaintiff submit a proposed order as required by Local Rule 52-4.1.

The Court therefore denies Plaintiff's "Request" without prejudice. The Court continues the Court's original January 28, 2019 order to show cause why Airbus should not be dismissed

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for lack of prosecution to April 8, 2019. The Court will deem the filing of a noticed motion seeking permission to serve Airbus through alternative means as an adequate response to the order to show cause. In addition to serving Frontier Airlines, Inc. with the noticed motion, if plaintiff elects to file such a motion, a copy of the motion should also be mailed to Airbus both within and outside the United States. The Failure to timely file such a noticed motion or to otherwise adequately respond to the order to show cause by that date may result in the imposition of sanctions, including but not limited to dismissal of the Airbus without prejudice and without further warning.

IT IS SO ORDERED.